

## REMARKS

Allowance of claim 4 is gratefully acknowledged. Holding of other allowable subject matter is also gratefully acknowledged. However, the undersigned is baffled by the Examiner's description of the allegedly allowable subject matter, as it is not easy to discern what limitation of what claim he might be referring to.

Claims 9 and 12 have been amended to put them in to independent form in light of the indication of their allowability. Applicant respectfully submits that this change does not affect the scope of the claims.

Drawing

The requirement for changes to the drawing is respectfully traversed. The limitations of claim 9 are already supported by Fig. 2B, Fig. 3 at 60, and described in the spec, e.g. at p. 4, lines 20-22.

Claim objections

Claim 9 has been amended to clarify the point mentioned by the Examiner.

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Examiner's response to argument

First, Applicant would like to address the case of In re Larson. In this case, language including the word "integral" was interpreted a given way using a dictionary. Given the more recent case of Phillips v AWH, Corp, 415 F.3d 1303; 2005 U.S. App. LEXIS 13954; 75 U.S.P.Q.2D (BNA) 1321, July 12, 2005, Decided, As Amended July 14, 2005, it must be understood that words do not necessarily mean the same thing from application to application, and, moreover, that words in each given application must be determined from a combination of factors, especially with reference to the specification. Accordingly, the word "integral" in light of the specification -- especially in light of the fact that the specification explicitly seeks to distinguish the Maassen reference using this word -- cannot be interpreted to include the embodiment of Maassen where a sleeve and a cap are held together by mere friction or pressure.

Additionally, the Examiner reads Maassen as teaching that items 10 and 22 "together form a sleeve." This is not what claim 1 recites. Claim 1 recites that the "cap forms part of the sleeve." Accordingly, the Examiner has not made a *prima facie* case against claim 1.

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Art rejections

The art rejections are respectfully traversed. The prior arguments are incorporated by reference and supplemented below.

Any of the Examiner's rejections and/or points of argument that are not addressed below would appear to be moot in view of the following. Nevertheless, Applicant reserves the right to respond to those rejections and arguments and to advance additional arguments at a later date. No arguments are waived and none of the Examiner's statements are conceded.

Claim 3

This claim recites that the edge (of the cap) is formed as a transition between the cap and a sleeve portion located between the cap and the holder. This recitation is somewhat similar to the recitations of claim 9, which has been considered allowable. Applicant does not understand why this one is not allowable as well.

Applicant wonders whether the Examiner understands the recitation. Accordingly, Applicant would like to review one of the embodiments in the application to explain an example of the limitations of the claim. In Fig. 2B, for instance, the cap 61 has an edge 63. The edge 64 is a transition to the sleeve 64. The sleeve 64 is between the cap 61 and the holder 4. Fig. 3 is similar except that the edge is not perpendicular to the axis.

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Applicant does not understand why the Examiner thinks the recitation of claim 3 could be taught or suggested by Maassen. In Maassen, the edge of the cap 10 does not have its own reference numeral. However, looking at Fig. 1, applicant sees an edge protruding from both the cap 10 and the envelope 24. Applicant does not see that the edge can be viewed as forming a transition between the cap and the sleeve, instead it is an interruption between the cap and the sleeve.

Maassen: Claim 7, 8, 13-17, and 19

Applicants respectfully submit that this rejection fails to satisfy 37 CFR 1.104, because the Examiner groups claims together that have different recitations and fails to indicate which recitation is being rejected with which argument.

Claim 7 and 15

Claim 7 recites an integral sleeve and cap unit formed from a single piece of material. The Examiner states that it would be obvious to do this based on Maassen.

The Larson case held that, given a particular set of facts, making two parts integral was obvious. It does not follow that it is always obvious to make two parts integral.

Often, the heart of invention is to recognize that there is problem in the first place. Once the problem is recognized, the solution is much easier. In this case, the inventor

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recognized that sleeve/cap assemblies such as shown in Maassen were creating a problem. They were failing in practice. As explained in the second paragraph of the application, temperature stresses in Maassen were causing the location of the cap to be uncertain. The invention addresses this problem by making the sleeve and cap from a single piece of material.

The Examiner has not shown where Maassen recognizes this problem. Without a recognition of the problem, there can be no teaching or suggestion that the problem needs to be solved. The recognition of the problem lies in Applicant's disclosure, not in the reference. Accordingly, Applicant respectfully submits that the Examiner's conclusion of obviousness results from impermissible hindsight.

Claim 15 is analogous to claim 7 with respect to the argument discussed above, though there are other differences.

Claims 13, 14, and 16

The Examiner discusses the obviousness of the coating. Applicant infers that the Examiner is speaking about claim 13, though the Examiner does not say so. In these comments about the coating, the Examiner points to paint on the first portion 8 of the collar 7 of Maassen and says that since there is a coating in one place it would be obvious to put it on the cap. Applicant respectfully disagrees with this conclusion.

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In fact it would make no sense to add the paint from portion 8 to the cap 10 in Maassen, since the cap 10 in Maassen already has whatever optical properties are necessary. In the claimed invention, the coating on the inside of the material that makes the claimed sleeve/cap unit only makes sense because the portion of the material that is supposed to serve as the cap needs to be altered to have desired optical properties. Applicant accordingly respectfully submits that the rejection of claim 13 is an improper hindsight reconstruction.

Claims 14 and 16 are analogous to claim 13 with respect to this limitation.

Claim 6—Maassen/Zhao

In rejecting this claim, the Examiner cites Zhao. After reviewing Zhao, Applicant concludes that it is a wholly different type of lamp from that discussed in Maassen. Zhao does contain the words “ceramic metal halide lamps,” but these are mentioned only in passing. It appears that they could only have been uncovered using a keyword search on Applicant’s claims. One of ordinary skill in the art would not have made this combination, because one of ordinary skill in the art would not have had Applicant’s claims to make a keyword search on. Applicants accordingly respectfully submit that this combination is an improper hindsight reconstruction in light of Applicant’s disclosure and claims.

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Claim 18: Maassen/Hasegawa

Claim 18 stands rejected over the combination of Maassen and Hasegawa.

Maassen is from the art of reflector lamps, while Hasegawa comes from the art of stand alone light emitting diodes. Applicant accordingly respectfully submits that it would not be obvious to one of ordinary skill in the art to combine them.

Moreover, claim 18 recites an angle of a screening ring. Claim 18 depends from claim 7. Claim 7 says that the ring is for intercepting unreflected light rays. Element 3 of Hasegawa, cited by the Examiner, is stated to be a diffuser. A diffuser does not intercept light rays. Instead, it diffuses them. Applicant accordingly respectfully submits that the Examiner mischaracterizes the reference.

Double patenting

The co-pending application uses a locking mechanism to attach a cap to a sleeve. The present application has the cap forming part of the sleeve. These may be two solutions to similar problems; but they are not the same solution, and one is not obvious from the other. They each require totally separate manufacturing techniques, with entirely different considerations inherent in those techniques. Applicant accordingly

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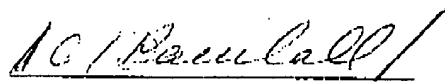
respectfully submits that the Examiner has failed to make a *prima facie* case of double patenting.

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Applicant respectfully submits that he has addressed each issue raised by the Examiner — except for any that were skipped as moot — and that the application is accordingly in condition for allowance. Allowance is therefore respectfully requested.

Respectfully submitted,

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Date of printing: December 31, 2006

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